



# Statement of Intent

This statement sets out how AFSA will meet the expectations outlined by the Attorney-General in the Ministerial Statement of Expectations of 10 March 2023.

## **AFSA's role**

As a visible, modern and contemporary regulator, AFSA recognises the vital role it plays in a strong credit system for Australia.

AFSA administers and regulates the personal insolvency and personal property securities systems and manages criminal assets. We do so through education, compliance and enforcement. AFSA exercises its functions and powers in good faith and to the best of its ability.

AFSA delivers outcomes considered appropriate, effective and consistent by our stakeholders and clients. Our Service Modernisation work is a key cornerstone of our efforts towards achieving system efficiencies.

To maintain system integrity AFSA uses formal enforcement powers to manage and deter deliberate misuse. AFSA actively addresses system misuse by targeting the most serious, complex and systemic harms, while supporting at-risk clients.

AFSA has the legal and policy authority to recover a proportion of the cost of performing its functions through fees, charges and levies.

## **Government priorities**

AFSA notes the Government's regulatory reform agenda supports economic prosperity.

Under the regulatory reform agenda, the Australian Government is also focusing on improving regulator performance, capability and culture through regulatory stewardship. AFSA will continue to provide expert advice and work with all stakeholders to contribute to this agenda.

AFSA will also increase its contribution to achieving better social and economic outcomes for Australians by responding to the changing social, technological and commercial context in which it operates.

AFSA will consistently implement best practice by ensuring its initiatives and strategies consider the Government's policy direction.

## Regulatory stewardship

AFSA is guided by the best practice principles outlined under the *Regulator Performance Resource Management Guide (December 2022)*:

- Continuous improvement and building trust: AFSA will achieve this by delivering services aligned with our Service Modernisation program.
- Risk based and data driven: AFSA will focus on the most significant system harms, informed by our own data as well as external sources.
- Collaboration and engagement: AFSA will continue proactive dialogues with our stakeholders.

These best practice principles are embedded in AFSA's regulatory principles: people-centric, outcomes focused, harms based, intelligence informed, and strengths based.

AFSA will:

- Act independently in undertaking its surveillance and regulatory functions.
- Allocate its resources by identifying harms and maintaining a transparent, risk-based compliance and enforcement strategy.
- Take measures to promote compliance and enhance regulatory oversight of the personal insolvency and personal securities systems.
- Manage confiscated criminal assets.
- Enhance the quality of government services and improve regulation on focus areas of public integrity, cyber security, support for vulnerable people, safety and security of women and children, and access to justice.

## Relationship with external stakeholders

AFSA will lead industry forums, publish program data and insights, and encourage positive conduct by highlighting good behaviours and sharing proven practices with practitioners.

AFSA will increase its data capabilities to meet demand for the system insights. This will enable the agency to support broader program and policy design and system decision-making.

AFSA will be a visible, modern, and contemporary regulator, maintaining strong relationships with key stakeholders.

## Relationship with Minister, portfolio and broader government

AFSA acknowledges its role in supporting the responsible Minister and the government to respond promptly to issues that arise in personal insolvency, personal property securities and criminal asset management.

AFSA will maintain a close working relationship with the Attorney-General's Department and portfolio agencies including the Australian Federal Police in relation to criminal assets management.

In keeping with the Government's Statement of Expectations, AFSA will fulfil its role consistent with being a visible, modern and contemporary regulator.